

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

PAUL et al.

Atty. Ref.: 117-569 (AMK); Confirmation No. 7207

Appl. No. 10/559,656

TC/A.U. 3742

Filed: December 5, 2005

Examiner: R. Alexander

For: FOOD PREPARATION

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April 17, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement dated February 6, 2009, Applicants elect the subject matter of Group III, claims 131-145, with traverse.

Applicants respectfully submit that the subject matter of all claims 113-146 is sufficiently related that a thorough search of the subject matter of any one group of claims would necessarily encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "[i]f the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims to distinct or independent inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

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Withdrawal of the Restriction Requirement and a prompt and favorable examination on the merits are respectfully requested.

Respectfully submitted,

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